

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

BERNARDO FIGUEROA

v.

CA 04-358ML

A.T. WALL, Director, Rhode Island
Department of Corrections,
JOSEPH DINITTO, Associate Director,
Rhode Island Department of Corrections

MEMORANDUM AND ORDER

On September 6, 2005, United States Magistrate Judge Hagopian issued two Reports and Recommendations. In the first one (Docket #35), Magistrate Judge Hagopian recommends that this Court grant defendants' motion for summary judgment. In the second one (Docket #36), he recommends that this Court deny plaintiff's motion for injunctive relief. Plaintiff has filed timely objections to both Reports and Recommendations.

This Court has reviewed *de novo* the Reports and Recommendations and plaintiff's objections. First, with respect to Docket #35, the Court finds that Magistrate Judge Hagopian's summary of the facts is fully supported by the record and his conclusion that defendants are entitled to judgment as a matter of law is consistent with applicable law. This Court therefore adopts the Report and Recommendation (Docket #35) in its entirety.

Magistrate Judge Hagopian's recommendation in Docket #36 is based on his conclusion that there is no likelihood that plaintiff would prevail on his underlying claims and that, therefore, the motion for preliminary injunction should be denied. This Court

has adopted the recommendation that defendants' motion for summary judgment be granted. Accordingly, this Court also adopts the Report and Recommendation (Docket #36) in its entirety. Plaintiff's motion for preliminary injunction is denied.

Finally, plaintiff filed a motion to expedite trial and further objection to the Report and Recommendation. Given this Court's disposition of defendants' motion for summary judgment and plaintiff's motion for preliminary injunction, plaintiff's motion to expedite trial is denied as moot.

SO ORDERED:

Mary M. Lisi
Mary M. Lisi
United States District Judge
September, 27 2005